



Crl.O.P(MD)No.13501 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P(MD)No.13501 of 2023 &
Crl.M.P(MD)No.10651 of 2023

Chithralekha

... Petitioner

vs.

1.The Superintendent of Police,
Pudukottai District.

2.The Inspector of Police,
Pudukottai Town Police Station,
Pudukottai District.

3.The Deputy Superintendent of Police,
CBCID, Pudukottai.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to transfer the investigation in Crime No.210/2019 on the file of the second respondent to any other competent Officer from the third respondent Office.

For Petitioner : Mr.R.M.Arun Swaminathan

For Respondents : Mr.S.S.Madhavan,
Government Advocate (Criminal Side)



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ORDER

This Criminal Original Petition is filed seeking for a direction of transfer of investigation in Crime No.210/2019 from the file of the second respondent to any other competent Officer in third respondent Office.

2. It is submitted by the learned counsel for the petitioner that on a complaint given by the petitioner, the second respondent has registered a case in Crime No.210/2019 for the offence punishable under Section 420 of IPC. However, there is no substantial progress in the investigation subsequent to the complaint. Accordingly, sought for a direction to transfer the investigation.

3. The learned Additional Public Prosecutor on the other hand submits that, second respondent police have already completed the investigation and final report is also filed in the month of May 2022 before the concerned Magistrate Court, closing the case as 'mistake of fact'. Once investigation is already over, this petition, which is filed seeking for transfer of investigation becomes infructuous.



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4. Accordingly, this Criminal Original Petition is dismissed as infructuous. However, the petitioner is at liberty to protest the same, in case, if she is permitted under law to do so, as it is reported by the learned Additional Public Prosecutor that final report has been filed before the concerned Magistrate Court in the month of May 2022. Consequently, the connected Miscellaneous Petition is closed.

28.07.2023

Speaking/Non-speaking Order

NCC : Yes / No

Index : Yes / No

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To

- 1.The Superintendent of Police,
Pudukottai District.
- 2.The Inspector of Police,
Pudukottai Town Police Station,
Pudukottai District.
- 3.The Deputy Superintendent of Police,
CBCID, Pudukottai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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DR.D.NAGARJUN, J.

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